



C/O PHH Mortgage Services  
1 Mortgage Way  
Mt. Laurel, NJ 08054

Tel 888.820.6474  
Fax 856.917.8300

May 6, 2020

Account Number: 8014440211

Dann Law  
P.O. Box 6031040  
Cleveland, OH 44103

**Accountholder Name (s):**  
Larry Rockwell II  
**Property Address**  
311 E Lewis St  
Whitehall, MI 49461-1604

**RESPONSE LETTER  
FOR YOUR RECENT REQUEST**

Dear DannLaw,

Thank you for the recent communication regarding the mortgage account 8014440211.

You provided a Real Estate Settlement Procedure Act (RESPA) qualified written request and requested us to respond to the questions outlined in the correspondence.

Per your request, we have reviewed the account and provided a response below:

After investigating the issues raised in the correspondence concerning the mortgage account referenced above, we have determined that no error occurred. The reason(s) for our determination are as follows:

Our records are updated to reflect the "Dann Law" as an authorized third party on the account. An authorized third party has the ability to obtain the mortgage account details and to make payments, but is not permitted to make updates to the contact information on your account.

The above mortgage account was originated by MILA, Inc. DBA Mortgage Investment Lending Associates, Inc., A Washington Corporation on August 22, 2006 for \$103,000.00.

As PHH was not involved in the origination of the mortgage, we are not able to comment on concerns regarding the origination of the mortgage. The information we provide in response to your request is limited to the servicing of the account. We are obligated to service the mortgage in accordance with the terms of the Note and Mortgage signed by the accountholder(s).

We have enclosed copies of the Note and Mortgage documents for your reference.

Effective April 1, 2019, PHH Mortgage Services is the new servicer for this account and is collecting the mortgage payments. As a part of the mortgage transition, outstanding late charges of \$23.34 and fees of \$14.50 were also transferred to PHH.

Ocwen and PHH applied all the payments received on the mortgage account in accordance with all applicable Federal and State laws and as outlined in the original Note and any agreed upon amendments thereto. If you believe that any payment submitted was not applied accurately to the mortgage account, please provide us with additional information regarding the specific payment, for us to research the matter further. You may forward any additional information or concerns to the address or fax number mentioned above.

If the account is contractually current, then all the funds received are applied towards the contractual payment. Any additional funds are applied in the following order:

Outstanding principal, interest or escrow, (i.e., taxes and insurance)  
Outstanding late charges and other fees  
Outstanding mortgage recoverable corporate advances

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**EXHIBIT 2**



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Escrow shortage  
Additional principal

If the account is contractually delinquent, all the funds received are applied towards the contractual payment. If the account is delinquent and does not require a full reinstatement, full contractual payments received are applied toward the oldest contractual installment due. Any partial payment amounts remaining or received are set aside in a suspense account.

On December 26, 2019, we received a reinstatement funds of \$5,512.56 including the Speedpay processing fee of \$17.50, of which funds of \$5,448.40 were applied to the June 1, 2019 through January 1, 2020 payments, funds of \$46.66 were applied to the late charges and remaining funds of \$17.50 were applied to the Speedpay processing fee.

The above late charges of \$46.66 were applied on January 21, 2020 with an effective date of December 26, 2019, hence it is reflecting on the billing statement dated February 14, 2020 under 'paid year to date' column.

The account is escrowed for taxes and insurance. The disbursements will be made as and when they are due.

If the account is not escrowed for taxes and/or insurance or if the taxes payable toward the property are delinquent, or if we do not receive proof of insurance on the property for any given period, in order to protect our interest, we disburse the delinquent taxes and/or assess the Lender Placed Insurance (LPI) on the property.

There is no LPI assessed by PHH on the property.

A Form 1098 is a statement that shows the interest paid on the mortgage for the previous calendar year and should be used to file your taxes with the Internal Revenue Service (IRS). The interest amount reported also includes any amounts paid to late charges, securitized interest or a prepayment penalty, if applicable. Any property taxes or mortgage insurance premium is also reflected on the Form 1098.

Since the mortgage account was transferred from Ocwen to PHH in 2019, two forms 1098 for 2019 were generated, one for Ocwen and another one for PHH.

The total interest amount paid to Ocwen and PHH for 2019 are \$504.90 and \$2,989.71 (including paid late charge of \$23.34) respectively, and these are correctly reflecting on the respective 1098 forms for 2019. We have enclosed copies of both the 1098 forms for 2019.

This mortgage account was modified by Ocwen on November 14, 2018. According to the modification agreement, it has a balloon payment disclosure for the amount of \$1,649.14 due at the maturity date of September 1, 2037.

We have enclosed a copy of the modification agreement for your reference.

The Note stipulates that the monthly mortgage payments are due on the 1st day of each month. However, the account holder has a 15 day grace period within which the monthly mortgage payment must be received by us to avoid being assessed a late charge. If the monthly mortgage payment is received by us after this grace period, a late charge equal to 5% of the overdue payment of principal and interest will be assessed on the account.

Since the certain payments were not received before the grace period expired, late charges were assessed on the account. All late charges have been paid and currently, no late charges reflecting on the account.

As a result of payment delinquency, Ocwen and PHH incurred fees that were then assessed to the account for repayment. All fees and costs associated with these actions were assessed in accordance with the terms and conditions of the original Mortgage and Note.

Below mentioned is a breakdown of the outstanding fees reflecting on the account.

Date	Description	Amount
March 21, 2019	Property Inspection Fee	\$14.50

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April 23, 2019	Property Inspection Fee	\$14.50
June 3, 2019	Property Inspection Fee	\$14.50
July 12, 2019	Property Inspection Fee	\$14.50
September 19, 2019	Property Inspection Fee	\$15.00
October 31, 2019	Property Inspection Fee	\$15.00
November 18, 2019	Property Valuation Fee	\$85.00
December 9, 2019	Property Inspection Fee	\$15.00
January 2, 2020	Property Inspection Fee	\$15.00
<b>Total Outstanding Fees</b>		<b>\$203.00</b>

As of May 6, 2020, the mortgage account is due for the May 1, 2020 payment along with fees/expenses of \$203.00 are reflecting on the account. The Unpaid Principal Balance (UPB) of \$69,367.07 and balloon payment of \$1,649.14 are reflecting on the account. However, these balances are not a payoff amount.

While these fees must ultimately be paid, they are not required as part of the monthly payment. No interest will accrue on these fees and no late charges will be assessed for not paying them at this time. However, these fees will need to be paid prior to satisfaction of the mortgage.

Below is the description of the fees/expenses assessed on the account.

**Property Inspection Fees:** Property Inspections are ordered when an account enters a default status and the mortgage is at least 45 days delinquent. In accordance with the mortgage documents and to protect the lender, the inspections can be performed monthly while the mortgage account remains in default.

**Property Valuation/BPO Fee:** A property valuation is performed when the account defaults. The bank assesses a specific fee based on the valuation order type; the fee is imposed by the valuation department based on the property type, market value, and location.

When the payment is not received within 30 days from the payment due date, we report negative information about the account to the credit bureaus. Late payments, missed payments, or other defaults on the account will reflect in your credit. We report to Equifax, Transunion, Experian, and Innovis.

The credit reporting submitted to the credit bureaus for the account correctly reflected the contractual status. Certain payments were not received within 30 days from the payment due date, hence the account is correctly reported as delinquent for those months.

If you believe that the credit reporting on the mortgage account is incorrect, please send a letter that includes the following information, as applicable:

1. Identification of which month and what reporting is being disputed.
2. Explanation of why the reporting is being disputed.
3. Evidence showing that the payment for that month was received on time or that the information reported was incorrect.
4. Copy of credit report from Equifax, TransUnion, Experian or Innovis.

Please forward the requested documentation to the address mentioned above.

We are servicing only the 1st mortgage/lien on the above property with the mortgage account 8014440211.

If you believe that there is 2<sup>nd</sup> mortgage/lien on the property, please provide us with the relevant proof for us to research the matter further. You may forward any additional information or proof to the address or fax number mentioned above.

We have enclosed copies of Ocwen and PHH payment histories, along with a transaction code sheet to assist in review. Transactions shown in the Ocwen payment history that occurred on or after the effective date of transfer are non-financial and for internal record keeping purposes only.

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We are servicing the account in accordance with all applicable federal and state laws. Section 2605(e) of the Real Estate Settlement Procedures Act (RESPA) requires that we respond to "qualified written requests," as defined by that section, regarding "information relating to the servicing of such account", 12 U.S.C. § 2605(e)(1)(A). Further, the information we provide in relation to this request is limited only to the servicing of the above account and is not required to extend to account origination.

Copies of collateral or certain mortgage account documents that were relied upon in making this determination may be requested. These documents may be received by sending in a written request to the Research Department at the address - PHH Mortgage Services, Post Office Box 66002, Lawrenceville, NJ 08648.

We trust that the information provided has fully addressed the concern. Information about this account can also be found online at [www.MortgageQuestions.com](http://www.MortgageQuestions.com).

For any questions regarding this account or this request, we can be reached at the number referenced above Monday through Friday from 8:00 am to 9:00 pm and Saturday from 8:00 am to 5:00 pm ET.

Sincerely,

Research Department  
Loan Servicing